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United States District Court
District of Rhode Island

The Estate of Yaron Ungar, et al,)
v.) Case No. 00 CA 105
The Palestinian Authority, et al)
_____)

Declaration of Marwan Jilani

1. I am the Deputy Permanent Observer of the Permanent Observer Mission of Palestine to the United Nations. I have served in the Mission since 1996. I had never been to the United States before I came to serve in the Palestine Mission in 1996. The Permanent Observer Mission and my sole personal residence are both located in New York City, New York. I am a citizen of Palestine. I have a B(1) visa issued by the United States Mission to the United Nations which identifies me as an officer of the Palestine Observer Mission and includes a waiver for me of prohibitions on entry of Palestinians to the U.S. to enable me to serve in the Mission.

2. The purpose of the Permanent Observer of Palestine to the U.N. is to present the views of Palestine, representing it and the Palestinian people in all activities, discussions, dialogues and debates before the United Nations and its agencies and to the people of the world who are concerned with those issues. The General Assembly designated Palestine to participate

in U.N. activities because it realized that consideration of and understanding the interests, concerns and viewpoints of Palestine and its people is essential to any meaningful discussion of issues involving the Middle East, and broader questions of world peace. It is a purpose of the Permanent Observer of Palestine to present those same views to the interested public. This is a duty and the practice of all Ambassadors, permanent Representatives, Inter-Governmental Organizations and invitees at the U.N. Statements on all such occasions cover the same subjects and have the same content as statements made at the U.N. Headquarters. As Deputy Permanent Observer I act at the direction of the Permanent Observer, speak on occasion outside the U.N. on U.N. subjects in my official capacity and act for him during his absence. The Permanent Observer of Palestine to the United Nations is limited in his duties to the duties described above and is not authorized to accept the service of legal process from any court for Palestine, the Palestinian Authority, the PLO, President Arafat, or any other defendant named in these proceedings.

3. On March 23, 2000 I flew from New York to Boston, Massachusetts in my official capacity to appear as an invited guest from the Permanent Mission of Palestine in an annual meeting at the Temple Ohabei Shalom in Brookline, Massachusetts in a program on the peace process with a Consul General of Israel to the U.S.

4. While inside Temple Ohabei Shalom in Brookline,

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Massachusetts on March 23, 2000 I was interrupted in a conversation I was having by a man I did not know and who did not identify himself, who handed me papers, which when I later read them, I learned were a Summons in a Civil Case to the Palestine Liberation Organization (PLO) and a complaint and a second Summons in Civil Case to the Palestinian Authority and the same complaint filed in the U.S. District Court of Rhode Island alleging claims by persons unknown to me against the PLO, the Palestinian Authority and others. The man who handed me the papers left immediately. After the evening program at Temple Ohabei Shalom I went to a hotel for the night and returned to New York by air the next morning.

5. The Permanent Observer Mission of Palestine to the United Nations is not an office of, or an agent for, either the Palestinian Authority or the PLO. It is an office authorized by the United Nations pursuant to resolutions of the General Assembly going back to November 22, 1974 in which the General Assembly at that time invited the PLO to participate as an observer in certain work of the General Assembly. After the proclamation of the State of Palestine by the Palestine National Council on November 15, 1988, the General Assembly by Resolution 43/177 of December 15, 1988 decided that the designation of Palestine should replace the designation of the PLO in the United Nations System. As recently as July 7, 1998, General Assembly Resolution 52/250 conferred upon Palestine important additional rights and privileges of participation in the work of the General

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Assembly and other organs of the U.N., including the right to participate in general debates of General Assembly Members, a right never conferred on any other non-Member state of the U.N.

6. I am employed exclusively by the Permanent Observer Mission of Palestine to the United Nations. I have no authority personally, or arising from my employment to act for, or serve as an agent or accept service on behalf of the Palestinian Authority, the PLO, or any other defendant in these proceedings.

7. We have consulted The Legal Counsel of the United Nations on this matter of service of process. His response dated May 5, 2000, attached, concludes as follows:

"...since the Permanent Observer Mission of Palestine to the United Nations in New York is a direct result of General Assembly resolution 3237 (XXIX) and is restricted to United Nations matters, that presence should be considered as not covering the receipt of service of legal process both personally and in rem in regard to matters completely unrelated to that presence. Any measure which might impede the maintenance of facilities of the Permanent Observer Mission of Palestine to the United Nations in New York or its ability to discharge its official functions would contravene the Charter of the United Nations, the Headquarters Agreement and the relevant General Assembly resolutions.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.
Executed on June 14th, 2000.


Marwan Ghanani

6/14/2000